

KATHLEEN BLISS LAW PLLC
Kathleen Bliss, Esq.
Nevada Bar No. 7606
170 South Green Valley Parkway
Suite 300
Henderson, Nevada 89012
Telephone: 702.518.7375
kb@kathleenblisslaw.com

Attorney for Kefer Funches

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Kefer Funches,

Defendant.

CASE NO. 2:24-cr-64-RFB-EYJ-1

MOTION TO APPOINT CO-COUNSEL
(Corrected Motion with Order Attached)

Defendant Kefer Funches, by his counsel of record, Kathleen Bliss, respectfully requests that this Court appoint S. Alex Spelman as co-counsel. The nature and complexity of this multi-defendant drug trafficking conspiracy presents extremely difficult challenges for one attorney, due to over 400 hours of Title III interceptions over five target devices, including Mr. Funches' cellphone; search warrants; statutory mandatory minimum sentences; and imminent motions' deadlines on March 6, 2015.

This Motion is made and based upon Guide to Judicial Policies and Procedures, Vol 7, Ch 2 § 230.53.20(b), a memorandum of points and authorities, the pleadings and papers on file herein, and any argument to be entertained by the Court.

POINTS AND AUTHORITIES

A. NATURE AND COMPLEXITY OF CASE

Mr. Funches and nine other defendants are charged with two conspiracies: drug conspiracy to distribute methamphetamine, Cocaine and Fentanyl (Count One) and money laundering (Count Five). Mr. Funches is also charged with two substantive counts, alleging distribution of methamphetamine (Count Three) and cocaine (Count Four). The statutory mandatory minimum for the drug amounts charged is ten years. The conspiracies alleged span a timeframe of five years, from April 2019 through April 2024. The discovery includes hundreds of intercepted communications over a three-month period and involve five targeted devices, including Mr. Funches' cellphone. The pell-mell formatting of the calls and corresponding line sheets into a user-friendly platform has required the assistance of the National Litigation Support Team and a third-party vendor. The end-product is forthcoming, but the project has taken several months. The discovery produced thus far also includes surveillance footage, audio recordings by an undercover agent, pen registers and financial records.

B. APPOINTMENT OF CO-COUNSEL

This case warrants the appointment of co-counsel because it is extremely difficult and complex. See Guide to Judicial Policies and Procedures, Vol 7, Ch 2 § 230.53.20(b).

Mr. Spelman has been working on this case with undersigned counsel as a CJA mentee since April 17, 2024. Mr. Spelman has demonstrated an understanding of the issues and eagerness to assist in dividing tasks, including discovery review, the filing of motions and trial preparation. Recently, Mr. Spelman was appointed as co-counsel in *United States v. Partington*, Case No. 2:22-CR-00097-RFB-DJA, *United States v. Barnes*, 2:23-CR-00206-RFB-DJA, and *Dow v. State*, 3:23-CV-00529-RFB-DJA. Further, Mr. Spelman has been appointed to serve as lead counsel in *Hemingway v. Beau et al.*, 2:24-CV-00156-RFB-DJA, a § 2254 postconviction

1 case, and as lead counsel for the recently concluded direct appeal in *Compton v. United States*,
2 No. 24-2039 (9th Cir.). He is also a member of the Clark County Office of Appointed Counsel's
3 conflict attorney panel, qualified to represent defendants in felony cases. Prior to private practice,
4 Mr. Spelman was an Assistant Federal Public Defender in the District of Nevada, a Deputy
5 Special Public Defender for the Clark County Special Public Defender, and served as a public
6 defender in Washington for the King County Department of Public Defense. He was a law clerk
7 for the Honorable Judge James C. Mahan in the United States District Court and for the
8 Honorable Jerome T. Tao in the Nevada Court of Appeals. His assistance in this case will be
9 valued and necessary to effectively represent Mr. Funches.
10

11 For the foregoing reasons, the approval of Mr. Spelman as co-counsel is requested.

12 Dated this 11th day of December 2024.
13

14 Respectfully submitted,

15 /s/ Kathleen Bliss
Kathleen Bliss, Esq.

16 KATHLEEN BLISS LAW PLLC
17 170 South Green Valley Parkway
Suite 300
18 Henderson, NV 89012
19 702.318.7375
20 Counsel Kefer Funches
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

In accordance with Rule 49(c) of the Federal Rules of Criminal Procedure and Rule 47-1 of the Local Rules of Practice for the United States District Court for the District of Nevada, I certify that I am an attorney of counsel at Kathleen Bliss Law PLLC, and that on 11th day of December 2024 I did cause a true and correct copy of:

MOTION TO APPOINT CO-COUNSEL

to be served via e-mail to the parties for the Electronic Filing System in this action.

By: Kathleen Bliss
Kathleen Bliss Law PLLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Kefer Funches,

Defendant.

CASE NO. 2:24-cr-64-RFB-EYJ-1

ORDER ON MOTION
TO APPOINT CO-COUNSEL

ORDER APPOINTING CO-COUNSEL

The Court, having considered the motion of defendant Kefer Funches, by his counsel of record, Kathleen Bliss, and for good cause showing, consistent with the Guide to Judicial Policies and Procedures, Vol. 7, Ch 2 § 230.53.20(b), GRANTS Defendant's Motion.

It is therefore ORDERED that Attorney S. Alex Spelman is appointed as co-counsel to represent defendant Kefer Funches.

Dated this 19 day of December 2024.



Honorable Richard F. Boulware, II
United States District Judge